UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

SOFTWARE FREEDOM CONSERVANCY, INC. and ERIK ANDERSEN, Plaintiffs, -against-	: ECF CASE : 09-CV-10155 (SAS)
BEST BUY CO., INC., SAMSUNG ELECTRONICS AMERICA, INC., WESTINGHOUSE DIGITAL ELECTRONICS, LLC, JVC AMERICAS CORPORATION, WESTERN DIGITAL TECHNOLOGIES, INC., ROBERT BOSCH LLC, PHOEBE MICRO, INC., HUMAX USA INC., COMTREND CORPORATION, DOBBS-STANFORD CORPORATION, VERSA TECHNOLOGY INC., ZYXEL COMMUNICATIONS INC., ASTAK INC., and GCI TECHNOLOGIES CORPORATION, Defendants.	DECLARATION OF AARON WILLIAMSON IN SUPPORT OF PLAINTIFFS' REPLY TO DEFENDANT BEST BUY'S OPPOSITION TO PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION

I, Aaron Williamson, declare as follows:

- I am an attorney admitted to practice before this court. I am counsel for the Software
 Freedom Law Center, attorneys for Plaintiffs.
- 2. I have personal knowledge of the facts stated herein, and if called upon to testify thereto as a witness, would do so.
- Attached as Exhibit A is a true and correct copy of Plaintiff Software Freedom Conservancy's response to Defendant Best Buy's first request for documents.

- 4. Attached as Exhibit B is a true and correct copy of an email from Erik Andersen to an internal mailing list of Lineo, Inc. dated September 7, 2001, announcing Andersen's departure from Lineo.
- 5. Attached as Exhibit C are excerpts of the deposit materials submitted by Erik Andersen with his application for copyright registration in BusyBox version 0.60.3.
- Attached as Exhibit D is a true and correct copy of excerpts from the transcript of Erik
 Andersen's deposition dated October 29, 2010.
- 7. On February 28, 2011, I took the deposition of Nancy Gezella, a Senior Product Manager in Best Buy's Exclusive Brands division. During the deposition, I asked her whether the NS-BRDVD4 and NS-WBRDVD2 products that were sold to customers beginning Augest 15, 2010, included an offer for BusyBox source code. She replied that at least the first run of NS-BRDVD4 players was distributed without an offer, and that Best Buy was aware that the offer was missing before the players were first sold to customers.
- 8. On March 1, 2011, I took the deposition of Scott King, Senior Director of Engineering and Quality for Best Buy's Exclusive Brands division. During the deposition, I asked him whether connected services like Netflix were an important initiative for Best Buy Exclusive Brands. He said that they were important in order for Best Buy to remain relevant to customers, to drive customer loyalty, and to make revenues.

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I declare under penalty of perjury that the forgoing is true and correct.

Aaron Williamson

Executed on March 21, 2011 New York, New York